

COMMUNITY AFFAIRS

DIVISION OF CODES AND STANDARDS

Uniform Construction Code

Public School Facilities

Proposed Amendments: N.J.A.C. 5:23-3.11A

Authorized by: Susan Bass Levin, Commissioner, Department of Community Affairs

Authority: N.J.S.A. 52:27D-124

Proposal Number: PRN 2003-

Calendar: See Summary below for explanation of exception to calendar requirement.

Submit written comments by: December 5, 2003 to:

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**SUSAN BASS LEVIN
COMMISSIONER**

The agency proposal follows:

Summary

The amendments to N.J.A.C. 5:23-3.11A, "Public school facility plan review and inspections; Uniform Construction Code enhancements in school facilities," would specify that a municipality in which a school is situated be given the right of first refusal to perform the plan review of a proposed project provided that the agency is appropriately classified to perform the plan review. These amendments also include changes to referenced sections of the building subcode that were made necessary by the adoption of the International Building Code/2000 (IBC). All references to sections of the Building Officials and Code Administrators (BOCA) National Building Code/1996 are replaced by the appropriate IBC references.

As the Department has provided a 60-day comment period on this notice of proposal, this notice is exempted from the rulemaking calendar requirement, pursuant to N.J.A.C. 1:30-3.3(a)5.

Social Impact

By providing the appropriate section numbers from the IBC, these amendments are expected to have a positive social impact by ensuring the consistency and uniformity of the Uniform Construction Code. These amendments are further expected to have a positive social impact by ensuring that a qualified local code enforcement office may review and release the plans for a school they will be inspecting. The added familiarity with the project is beneficial to all.

Economic Impact

The Department anticipates that there will be no economic impact. These rules to not change the current requirements, they update section numbers in the adopted building subcode and they specify that when a municipality is to perform the plan review of a school, the municipality where the school is situated be given the right of first refusal to review the plans as long as the municipality is appropriately classified to do so.

Federal Standards Statement

No Federal standards analysis is required because these amendments are not being proposed in order to implement, comply with, or participate in any program established under Federal law or under a State law that incorporates or refers to Federal law, standards, or requirements.

Jobs Impact

The Department does not anticipate that any jobs will be created or lost as a result of these proposed amendments.

Agriculture Industry Impact

The Department does not anticipate that the proposed amendments would have an impact on the agricultural industry.

Regulatory Flexibility Statement

Because neither the administrative structure of the Uniform Construction Code nor its technical requirements are changed by these amendments, the amendments would not impose any recordkeeping, compliance, or reporting requirements on “small businesses,” as defined by the New Jersey Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq.

Smart Growth Impact

The Department expects that these amendments could have a positive impact on the achievement of “smart growth” or implementation of the State Development or Redevelopment Plan because smart growth is facilitated by a construction code that provides uniformity, establishes predictability, and allows the use of new technologies.

Full text of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

5:23-3.11A Public school facility plan review and inspections; Uniform Construction Code enhancements in public school facilities

(a) (No change.)

(b) In lieu of obtaining construction code plan review and release from the Department of Community Affairs, a school district, upon notice to **and approval by** the Department, may secure construction code plan review and release from [any] **a** municipal code enforcing agency, pursuant to P.L. 1990, c.23.

1. The municipal code enforcing agency providing construction code plan approval must agree to perform the review and must be appropriately classified for the proposed project in accordance with this chapter.

i. The municipal code enforcing agency in the municipality where the proposed project is to take place shall be given first refusal provided that the agency is appropriately classified for the proposed project in accordance with this chapter.

2. – 6. (No change.)

(c) The Department or the municipal code enforcing agency providing construction code plan release or inspection shall be responsible for enforcing the following Uniform Construction Code enhancements in public school facilities:

1. An automatic fire alarm system shall be installed in all new buildings of [Use] Group E (educational), [as designated in the BOCA National Building Code/96 Section 918.4.1 and] in accordance with [the applicable] National Fire Protection Association [standards] **standard 72**. The system shall utilize:

i. – iv. (No change.)

2. Manual fire alarm boxes, in addition to [BOCA/96 Section 918.5] requirements **from Section 907.3 of the building subcode**, shall be provided in the natural path of escape from fire, near each exterior door from the corridor, kitchen, heater room and other exits that are required to serve 50 or more persons. Additional fire alarm boxes shall be located in the main office, stage, at each stairway entrance from a corridor or place of assembly and near one exterior exit in each section of a place of assembly. It shall not be necessary to traverse more than 200 feet of unobstructed horizontal distance on the same floor in order to reach a fire alarm box.

3. (No change.)

4. All school buildings shall be equipped with a mechanical air supply and exhaust ventilation system which will provide, during periods of occupancy, standard tempered outdoor air supply and mechanical exhaust at the minimum rates set forth in the [BOCA National Mechanical Code as amended] **mechanical subcode**.

(d) (No change.)